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### NOTICE OF ALLOWANCE AND FEE(S) DUE

7590

02/26/2003

GREENBLUM & BERNSTEIN 1941 ROLAND CLARKE PLACE RESTON, VA 20191 EXAMINER

VARCOE JR, FREDERICK T

ART UNIT

CLASS-SUBCLASS

1764

422-198000
21

DATE MAILED: 02/26/2002

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/214,001	12/24/1998	HITOSHI KUDO	P17380	6119

TITLE OF INVENTION: MODIFICATION APPARATUS

TOTAL CLAIMS	APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
29	nonprovisional	NO	\$1280	\$0	\$1280	05/28/2002

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. <u>PROSECUTION ON THE MERITS IS CLOSED.</u> THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

#### HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above. If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

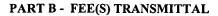
A. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

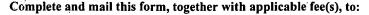
B. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay TOTAL FEE(S) DUE shown above, or
- B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.
- ☐ Applicant claims SMALL ENTITY status. See 37 CFR 1.27.
- II. PART B FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.
- III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

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**Box ISSUE FEE** 

Assistant Commissioner for Patents

Washington, D.C. 20231

MAILING INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as

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CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up, with any corrections or use Block I)	

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02/26/2002

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Note: The certificate of mailing below can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing.

Certificate of Mailing I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Box Issue Fee address above on the date indicated below.

(Depositor's name)
(Signature)
 (Date)

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09/214,001	12/24/1998	HITOSHI KUDO	P17380	6119

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29	nonprovisional	NO	\$1280	\$0	\$1280	05/28/2002
EXA	MINER	ART UNIT	CLASS-SUBCLA	ss		. •
VARCOE JR	, FREDERICK T	1764	422-198000			
1. Change of correspon CFR 1.363). Use of PT but not required.	dence address or indicat O form(s) and Custome	tion of "Fee Address" (37 r Number are recommende	d, the names of up t	the patent front page, less 3 registered patent atto- ternatively, (2) the name	front page, list (1) ed patent attorneys (2) the name of a ember a registered names of up to 2 agents. If no name	
Change of corresponded Address form PTO/SI	ondence address (or Cha B/122) attached.	nge of Correspondence	single firm (havi	ng as a member a regi ) and the names of up	stered 2	
"Fee Address" indication (or "Fee Address" Indication form			registered patent a is listed, no name	attorneys or agents. If no will be printed.	name 3	

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment. (A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

4a. The following fee(s) are enclosed:	4b. Payment of Fee(s):				
☐ Issue Fee	☐ A check in the amount	of the fee(s) is enclosed.			
☐ Publication Fee	☐ Payment by credit card. Form PTO-2038 is attached. ☐ The Commissioner is hereby authorized by charge the required fee(s), or credit any overpayment, to ☐ Deposit Account Number(enclose an extra copy of this form).				
☐ Advance Order - # of Copies					
The COMMISSIONED OF BATENITS AND TRAIL	NEMARKS is requested to seek the Issue E-	and Publication Fee (if any) or to re-apply any previously paid issue fee to the			
application identified above.	DEMARKS is requested to apply the issue Fee	and I dolleanon I ee (II any) or to re-apply any previously paid issue fee to the			
	(Date)	and I dollection I ee (ii any) of to to-apply any previously paid issue fee to the			
application identified above.	(Date) equired) will not be accepted from anyone or agent; or the assignee or other party in	and I done and I ce (ii any) of to to-apply any previously paid issue fee to the			

to complete this form should be sent to the Chief Information Officer, United States Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES AND THIS FORM TO: Box Issue Fee, Assistant Commissioner for Patents, Washington, D.C. 20231

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1941 ROLAND CLARKE PLACE RESTON, VA 20191			ART UNIT	PAPER NUMBER	
			1764		
			DATE MAILED: 02/26/2002		

# Determination of Patent Term Extension under 35 U.S.C. 154 (b) (application filed after June 7, 1995 but prior to May 29, 2000)

The patent term extension is 0 days. Any patent to issue from the above identified application will include an indication of the 0 day extension on the front page.

If a continued prosecution application (CPA) was filed in the above-identified application, the filing date that determines patent term extension is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system. (http://pair.uspto.gov)



Notice of Allowability



Examiner

Applicant(s)

arit(5)

Varcoe

Art Unit 1764

Kudo et al.



## -The MAILING DATE of this communication appears on the cover sheet with the correspondence address-

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308. 1. X This communication is responsive to \_the amendment filed Feb 8, 2002\_ 2. X The allowed claim(s) is/are 1 and 3-30 3. X The drawings filed on \_\_\_\_\_\_ Nov 20, 2000 \_\_\_\_\_ are acceptable as formal drawings. 4. X Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d). a) 🛛 All b) Some\* Nane of the: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. X Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)). \*Certified copies not received: 5. Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e). Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE. 6. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED. 7. Applicant MUST submit NEW FORMAL DRAWINGS (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached 1) 🗌 hereto or 2) 📑 🗖 Paper No. \_\_\_\_ (b) ☐ including changes required by the proposed drawing correction filed approved by the examiner. (c) including changes required by the attached Examiner's Amendment/Comment or in the Office action of Paper No. Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson. 8. 
Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL. Any reply to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included. Attachment(s) 2 Notice of Informal Patent Application (PTO-152) 1 Notice of References Cited (PTO-892) 3 Notice of Draftsperson's Patent Drawing Review (PTO-948) 4 Interview Summary (PTO-413), Paper No. 6 Examiner's Amendment/Comment 5 Information Disclosure Statement(s) (PTO-1449), Paper No(s). 8 Examiner's Statement of Reasons for Allowance 7 Examiner's Comment Regarding Requirement for Deposit of Biological Material 9 Other ELLAY IP TOMISON PRIMARY EXAMINER GROUP 1100